UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

X-TRA LIGHT MFG. INC. a/k/a and/or \$ d/b/a X-TRA LIGHT \$ MANUFACTURING PARTNERSHIP, \$ LTD., a Texas corporation, \$ Plaintiff, \$ \$ V. \$ CIVIL ACTION NO. H-04-1413 \$ ACUITY BRANDS, INC., and ACUITY \$ LIGHT GROUP, INC., \$ \$ Defendants.

MEMORANDUM AND ORDER

Pursuant to the parties' Stipulated Dismissal (Doc. No. 137), this case is hereby **DISMISSED WITH PREJUDICE**. The Court shall retain jurisdiction over the settlement agreement executed by the parties.

IT IS SO ORDERED.

SIGNED this 28th day of June, 2007.

KEITH P. ELLISON

UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT